THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.7048 OF 2007

Dated 12th April 2007

Between:

B.Arjuna Rao

…Petitioner

and

The Govt.of A.P., rep. by Principal Secretary,
Revenue Department, Secretariat, Hyderabad
& another

…Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.7048 OF 2007

O R D E R:

The petitioner presented a sale deed dated 24.7.2006, before the 2nd respondent for registration. The latter, in turn, addressed a letter, dated 25.7.2006, stating that the Mandal Revenue Officer, Anakapalli, issued a certificate dated 11.7.2006, to the effect that the land in Survey NO.110/10 of Golagam village, is not a Government land, or assigned land, whereas, in G.O.Ms.No.29, Revenue (Registration-I) Department, dated 10.1.2005, issued under Section 22-A of the Registration Act, the Government prohibited registration of the land in that very survey number, by treating as *Gayalu*. He requested the Mandal Revenue Officer, to furnish the copies of notification, if any, denotifying the land in Survey No.110/10, from the

said category. It is alleged that having addressed such a letter, the 2nd respondent refused to receive the document. The petitioner challenges the action of the 2nd respondent, in refusing to receive the document and in addressing a letter, referred to above.

Heard the learned counsel for the petitioner and learned Government Pleader for Revenue.

Even if G.O.Ms.No.29, dated 10.1.2005, is said to be in force and covering the land in Survey No.110/10 of Golagam Village, it cannot be treated as a hindrance, for receiving a document for registration. The reason is that Section 22-A of the Registration Act, under which the registration is prohibited, has since been held to be *ultra vires*. Therefore, the 2nd respondent is not justified, in refusing to admit the document of the petitioner.

Hence, the Writ Petition is disposed of, directing the 2nd respondent, to receive and process the document presented by the petitioner, and take necessary steps, in accordance with the provisions of the Indian Stamp Act and the Registration Act, within one (1) week, from the date of presentation of document. There shall be no order as to costs.

12th March 2007

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